

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: 04/09/2012
POSITION: Oppose

BILL NUMBER: AB 1961
AUTHOR: Huffman, Jared William

BILL SUMMARY: Coho Salmon: Habitat

Existing law authorizes the Department of Fish and Game (DFG), until January 1, 2014, to develop and implement a recovery strategy for Coho salmon. Any recovery strategy that has been approved prior to the sunset date would remain in effect.

This bill would establish the Coho Salmon Habitat Enhancement Leading to Preservation Act (Coho Act) and require DFG to approve Coho restoration projects through an expedited approval process if certain criteria are met. The bill would create the Coho Salmon Recovery Account (Coho Account) as a dedicated account within the Fish and Game Preservation Fund (FGPF) and allow the account to receive funds to meet the objectives of the Coho Act.

FISCAL SUMMARY

To implement the provisions of the bill, DFG would need approximately \$1.0 million FGPF and four positions to establish and maintain a new permitting program and provide scientific review of proposed projects. Currently, the FGPF is structurally imbalanced as expenditures exceed revenue by approximately \$17.0 million. While the proposed bill would create a Coho Account within the FGPF, there are no assurances that funding agreements with other entities would be reached and that sufficient funds would be deposited. Absent such funds, the costs of the bill would be entirely borne by the FGPF.

COMMENTS

The Department of Finance (Finance) is opposed to this bill. While it could result in an expedited review process that could encourage non-governmental entities to perform Coho salmon restoration projects, there is no certainty that any non-state funds would be deposited in the Coho Account, and absent such funds, the bill would result in additional project permitting and review costs being borne by the FGPF which is structurally imbalanced.

The bill provides that a Coho restoration project would be exempt from review under the California Environmental Quality Act (CEQA), the California Endangered Species Act (CESA), and the Lake and Streambed Alteration Program if certain specified conditions are met. The project could not exceed five years in length, for example, and could not be larger than 5 acres. Typically, Finance is opposed to CEQA exemptions because of environmental concerns. However, the bill provides DFG the authority to eliminate project approval at any time if there is a change in the project or the environmental circumstances in the area of implementation.

CESA lists Coho salmon as an endangered species throughout the majority of Northern California. DFG estimates that south of San Francisco Bay, Coho salmon are extinct. DFG has developed strategies and plans that identify the best practices for salmon recovery. However, DFG has been unable to institute most of the recovery activities because of limited resources.

Analyst/Principal (0634) K.Gmeinder	Date	Program Budget Manager Karen Finn	Date
Department Deputy Director		Date	
Governor's Office:	By:	Date:	Position Approved _____ Position Disapproved _____
BILL ANALYSIS			Form DF-43 (Rev 03/95 Buff)

AUTHOR

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	SO	(Fiscal Impact by Fiscal Year)							
Code/Department	LA	(Dollars in Thousands)							
Agency or Revenue	CO	PROP					Fund		
Type	RV	98	FC	2011-2012	FC	2012-2013	FC	2013-2014	Code
3600/Dept FishGam	SO	No	C	0	C	449	C	998	0200
1600/Misc Rev Tot	RV	No		----	See Fiscal Summary	----			0200
<u>Fund Code</u>	<u>Title</u>								
0200	Fish and Game Preservation Fund								